

REMARKS**Status of the claims**

Claims 1-65 are pending in the application and have been examined. The Office Action considers claims 32-42 allowable as written, and claims 6, 19, 31, 55-57, and 64 allowable if rewritten in independent form.

Applicant hereby cancels without prejudice claims 1-31, 55-56 and 64-65, amends claims 32, 35, 43, and 59-63, and adds new claims 66-71 each ultimately dependent from claim 32. After entry of this paper claims 32-42, 43-54, 57-63 and 66-71 are pending for examination.

Amendments to the Claims

Applicant has amended claims 32, 35, 43, and 59-63. Support for the amendments to claim 32 is found throughout the specification and at least at, for example, page 11, lines 10-23, and Figures 3, 4, 5, 7 and 8 and accompanying text. Support for the amendments to claim 35 is found throughout the specification and at least at, for example, page 15, lines 1-8, page 20, lines 14-29, and Figures 4, 5, 7 and 8 and accompanying text. Support for the amendments to claim 43 is found throughout the specification and at least at, for example, page 11, lines 10-23, and Figures 11A and 11B and accompanying text. Support for the amendments to claim 59 is found throughout the specification and at least at, for example, page 13, lines 4-10, page 22, lines 5-12, and original claim 64. Support for the amendments to claims 60 and 62 is found throughout the specification and at least at, for example, page 13, lines 4-10, page 22, lines 5-12. Accordingly, the amendments to claims 32, 35, 43, 59, 60 and 62 add no new matter.

The amendments to claims 61 and 63 have been made to correct inadvertent and obvious typographical errors; accordingly, no new matter has been added.

Applicant has added new claims 66-71 all of which depend from allowable claim 32. Support for new claims 66-71 is found throughout the specification. For example, support for claim 66 is found at least at page 22, lines 13-19; support for claim 67 is found in least in Figure 6B and accompanying text; support for claim 66 is found at least at page 7, lines 15-20, and page 7, line 29 to page 8, line 3; support for claim 69 is found at least at page 7, lines 15-20; page 7, line 29 to page 8, line 3; and Figure 9 and accompanying text; support for claim 70 is found at least at page 26, lines 12-29, and Figures 4, 5, 7 and 8 and accompanying text; and support for

claim 71 is found at least in Figures 6B and accompanying text. Accordingly, new claims 66-71 add no new matter.

Rejections of Claims

The Office Action rejected claims 1-5, 16 -18, 29-30, 43-45, 48, 50, 58-59, and 65 under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 6,444,980 by Kawato et al. (“Kawato”), and rejected claims 7-15, 20-28, 43, 46-49, 51-54, and 60-63 under 35 U.S.C. § 103 as allegedly obvious over Kawato in view of U.S. Patent No. 5,898,173 by Franzen (“Franzen”).

Applicant hereby cancels without prejudice claims 1-31 and 65, thereby rendering moot the rejections of claims 1-5, 7-18, 20-30 and 65.

Applicant has amended claim 43, to comprise, inter alia,

a heater system connected to one or more of the first ion optics system and the second ion optics system; [and]
a temperature-controlled surface disposed substantially around at least a portion of one or more of the first ion optics system and the second ion optics system

as set forth in claim 43. Applicant respectfully submits that amended claim 43 is novel and non-obvious over Kawato and Franzen, either alone or in combination, because neither Kawato nor Franzen teach or suggest a heater system connected to an ion optic’s system and a temperature-controlled surface disposed substantially around at least a portion of an ion optics system as set forth in amended claim 43. Applicant thus submits that claim 43, and claims 44-54 and 57-58 that depend therefrom, are novel and non-obvious over Kawato and Franzen and in condition for allowance.

Applicant has amended claim 59 to incorporate the limitations of allowable claim 64 and place the limitations of claim 64 in independent form. Applicant thus submits that claim 59, and claims 60-63 that depend therefrom, are novel and non-obvious over Kawato and Franzen and in condition for allowance.

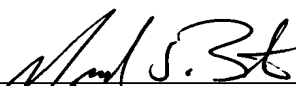
CONCLUSION

In view of the above, it is believed that all presently pending claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone call would expedite the prosecution of this case, the Examiner is invited to call the undersigned at (617) 994-0829.

Applicant believes no fee is due with this Response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SY9-195, from which the undersigned is authorized to draw.

Dated: February 23, 2005

Respectfully submitted,

By 
Michael J. Bastian, Ph.D.
Registration No.: 47,411
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant